

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DHARMESH JOSHI,

Plaintiff,

v.

Case No. 04-74450

CAROL JENIFER, et al.,

Honorable Patrick J. Duggan

Defendants,

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**OPINION AND ORDER GRANTING DEFENDANTS' MOTION TO DISMISS**

At a session of said Court, held in the U.S.  
District Courthouse, City of Detroit, County of  
Wayne, State of Michigan, on August 29, 2005.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

Plaintiff Dharmesh Joshi ("Plaintiff") filed this lawsuit on November 15, 2004, challenging Defendants' treatment of his naturalization application. On January 28, 2005, Defendants filed a motion to dismiss. This Court thereafter referred the motion to Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636.

On August 3, 2005, Magistrate Judge Whalen issued a Report and Recommendation (R&R) recommending that this Court grant Defendants' motion to dismiss and dismiss Plaintiff's complaint without prejudice. At the conclusion of the R&R, Magistrate Judge Whalen advises the parties that they may object and seek review

of the R&R within ten days of service upon them. Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Whalen.

Accordingly,

**IT IS ORDERED**, that Defendants' motion to dismiss is **GRANTED**;

**IT IS FURTHER ORDERED**, that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
Roger Rathi, Esq.  
AUSA Susan K. DeClercq  
Magistrate Judge Whalen